

REMARKS

In response to the restriction requirement, Applicant elects Group I, claims 1-8 and 20-22. The examiner has failed to categorize claim 34 in either Group I or Group II. Considering the claim, Applicant assumes that claim 34 was intended to be included in Group I. Accordingly, please consider this as being an election of claims 1-8, 20-22 and 34. Claims 35-46 have been newly added and depend from claim 1. No new matter has been introduced.

Further, Examiner designated Group II as including claims 29-33. Claim 32 was withdrawn following the previous restriction of species. Applicant will assume that this was simply an oversight by the Examiner. If this is to the contrary, kindly indicate so in the next correspondence.

Applicant also respectfully requests reconsideration and rejoinder of claims 23, 24, 25, 26, 27, and 28. These claims were the basis of the restriction requirement dated July 13, 2004. After further consideration, Applicant fails to see the reasoning behind this restriction requirement. Applicant respectfully submits that no legitimate grounds for providing this division was provided for in the office action dated July 13, 2004. Claim 1 includes an open ended claim of a first and second ingredient. Because the claim is open ended, the formulation could include a third, fourth, fifth, etc., ingredients. Claim 23 is direct to a formulation comprising three ingredients. With all due respect, Applicant fails to see how claim 1 and claim 23 merit a separation. Applicant kindly requests reconsideration of this position.

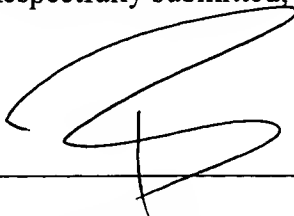
Applicant traverses the restriction requirement and reserves all right for filing
divisional applications for the non-elected claims.

Respectfully submitted,

Date:

6/3/05

Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza
Suite 300
San Francisco, CA 94111
Facsimile (415) 393-9887
Telephone (415) 954-0345



Paul J. Meyer, Jr.
Attorney for Applicants
Reg. No. 47,791